

STATE OF MAINE  
PUBLIC UTILITIES COMMISSION

Docket No. 99-333

July 29, 1999

PINE TREE TELEPHONE & TELEGRAPH CO.  
Petition to Modify or Repeal Commission Rule  
Chapter 230 and to Deregulate the Installation and  
Maintenance of Customer Premise Wiring

ORDER

WELCH, Chairman; NUGENT and DIAMOND, Commissioners

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**I. SUMMARY**

In this Order, we deny Pine Tree Telephone and Telegraph Company's Petition to Repeal Chapter 230.

**II. BACKGROUND**

On May 18, 1999, Pine Tree Telephone and Telegraph Company (Pine Tree) filed a Petition requesting that the Commission deregulate customer premises wiring (Petition). Specifically, Pine Tree asks that the Commission repeal Chapter 230. In its Petition, Pine Tree noted that the Commission had stated previously that it intended to commence a rulemaking on the question of whether to deregulate customer premises wiring. *Order Adopting Rule and Statement of Factual and Policy Basis*, Chapter 230, Docket No. 96-329, (June 9, 1997).

Pursuant to Chapter 120, section 502(c) of the Commission's Rules of Practice and Procedure, the Commission has sixty days to respond to Pine Tree's Petition by either commencing a rulemaking or denying Pine Tree's Petition. Due to staff scheduling issues, our response to Pine Tree's Petition is approximately 12 days late.

**III. DECISION**

In its Petition, Pine Tree specifically requested that the Commission deregulate the installation and maintenance of customer premise wiring and repeal all of Chapter 230. Pine Tree claims that "sufficient competition exists for the installation of maintenance of customer premise wire" and that continued regulation of customer premise wiring "acts to provide other supplier with less competition." Petition at 1. While Pine Tree's points may be valid, we do not find it advisable to repeal all of the provisions of Chapter 230 that delineate utility and customer responsibilities, or to deregulate all aspects of inside wire installation or maintenance, without a more detailed analysis of whether effective competition exists in the relevant market segments. Accordingly, we deny Pine Tree's Petition.

We do intend, however, to begin a rulemaking to explore the issues raised by Pine Tree's petition as soon as possible, given current resource and time constraints. In the meantime, Pine Tree is free to request that the Commission waive any of the rule's provisions, to the extent appropriate, as permitted by Section 9 of Chapter 230.

Dated at Augusta, Maine, this 29th day of July, 1999.

BY ORDER OF THE COMMISSION

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Raymond Robichaud  
Assistant Administrative Director

COMMISSIONERS VOTING FOR      Welch  
   Nugent  
   Diamond